

**UNITED STATES DEPARTMENT OF AGRICULTURE
FOREST SERVICE
CORONADO NATIONAL FOREST
SANTA CATALINA RANGER DISTRICT**

TEMPORARY AREA CLOSURE

Pursuant to 16 USC 551 and 36 CFR 261.50 (a) and (b), the following acts are prohibited in the area described in this order, and depicted on the attached map hereby incorporated into this order as Exhibit A, all within the Santa Catalina Ranger District, Coronado National Forest, Pima County, Arizona:

PROHIBITIONS:

1. Being publicly nude. **36 CFR 261.58(j)**
2. Camping. **36 CFR 261.58(e)**
3. Discharging a firearm, air rifle, or gas gun. **36 CFR 261.58(m)**
4. Launching and recovering of Unmanned Aviation Systems (also known as drones) and other model aircraft; as defined by FAA Circular 91-57A "Model Aircraft Operating Standards" dated January 11, 2016. **36 CFR 261.56(b), 261.53(e) and 261.53(f)**
5. Possessing a beverage which is defined as an alcoholic beverage by State law. **36 CFR 261.58(bb)**
6. Possessing, storing, or transporting any nonnative live bird, nonnative live fish, nonnative live animal or any trapped fish or wildlife from private property or any part of a nonnative tree or other nonnative plant. This includes animals within the Canidae family (ie: Dogs), Felidae family (ie: Cats), Suidae family (ie: Pigs), Bovidae family (ie: Goats), Camelidae family (ie: Llama) and nonhuman species of the Order Primate (ie: Apes/Monkeys/Lemurs). **36 CFR 261.58(s) and 261.58(t)**
7. Possessing a glass container. **36 CFR 261.53(e)**
8. Using any type of vehicle prohibited by the order:
 - a. Motor vehicle, bicycle, tricycle, unicycle, scooter, skateboard, roller skates and in-line skates. **36 CFR 261.54(a) and 261.55(b)**

EXEMPTIONS:

Pursuant to 36 CFR 261.50(e), the following persons are exempt from this order:

1. Persons with a permit specifically authorizing the otherwise prohibited act or omission.
2. Any Federal, State or Local Law Enforcement Officer or member of an organized rescue or fire fighting force in the performance of an official duty.
3. Persons legally parking vehicles as provided and permitted in the Sabino Canyon Recreation Area and SARA parking lots (in reference to 36 CFR 261.54(a)).
4. Persons with wheelchairs or other mobility assist devices (in reference to 36 CFR 261.54(a)).

5. Persons with a Service Animal as defined in the Americans with Disabilities Act (in reference to 36 CFR 261.58(s)).
6. Persons with saddle, pack or draft animals, on designated trails and as authorized by sign (in reference to 36 CFR 261.58(s)).
7. Persons with bicycles, tricycles, unicycles, scooters, skateboards, roller skates and in-line skates after 5 p.m. and before 9 a.m. on Sunday, Monday, Tuesday, Thursday and Friday (in reference to 36 CFR 261.54(a)).
8. Persons in possession of a valid State of Arizona hunting license may transport lawfully taken wildlife through the closed area (in reference to 36 CFR 261.58(s)).

AREA DESCRIBED:

The closure area includes the Sabino Canyon Recreation Area and Bear Canyon, located within Township 12 South, Range 15 East, Section 35; Township 13 South, Range 15 East, Sections 1, 2, 3, 4, 9, 10, and 11.

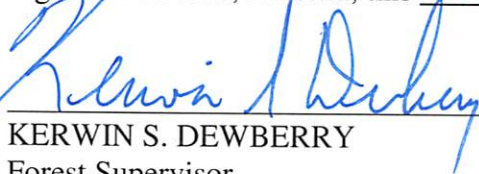
PURPOSE:

The purpose of this order is to allow for the protection of public health, safety, and property, and to provide for a continued quality environment. There are many problems associated with heavy recreational use in this area. The order will help the Forest Service meet current and future management goals for the Sabino Canyon Recreation Area and Bear Canyon.

IMPLEMENTATION:

1. This order shall be in effect when signed and shall remain in effect until September 30, 2017, or until rescinded, whichever is earlier.
2. This order supersedes, rescinds, and replaces any previous orders prohibiting the same acts covered by this order.
3. Any violation of these prohibitions is punishable by a fine of not more than \$5,000.00 for individuals and \$10,000.00 for organizations and/or imprisonment for not more than six (6) months. [16 USC 551, 18 USC 3571(b)(6), 18 USC 3581(b)(7)].

Signed in Tucson, Arizona, this 27th day of May, 2016.



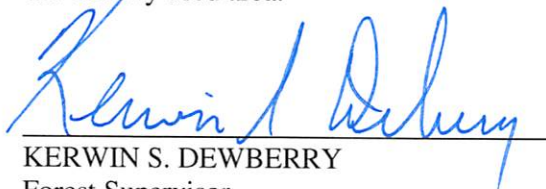
KERWIN S. DEWBERRY
Forest Supervisor
Coronado National Forest

Sabino Canyon Recreation Area and Bear Canyon
Assessment of Need and Enforcement Plan

1. **Background** - The Sabino Canyon Recreation Area and Bear Canyon on the Santa Catalina Ranger District is a popular destination for Forest visitors and is highly managed by the Forest Service due to popularity, the predictable effects to resources and property, user conflicts and health and safety considerations. This Closure Order will help the Forest Service meet current and future management goals for the Sabino Canyon Recreation Area and Bear Canyon.
2. **Intent of Subpart B Order** - There are many problems associated with heavy recreational use in this area. The intent of the Closure Order is to consolidate all agency-desired prohibitions for Sabino Canyon Recreation Area and Bear Canyon into one current and useful Closure Order. In addition to previously-enforced prohibitions, one new prohibition has been listed in the new Closure Order. A prohibition for Unmanned Aviation Systems, also known as drones, has been added to address concerns with noise disruptions, negative aesthetics, damage to plants and wildlife upon landing, and the possibility of a drone crashing into a person. All prohibitions included in this Closure Order support agency goals for the area. Alternative methods for achieving management goals have been considered and applied in the past, only to find that some prohibitions are necessary and have proven to be the most efficient means to manage this area. Information regarding the new prohibition for drones will be posted in the Visitor Center; no new information will be shared for the other prohibitions, which have been enforced in this area for many years. Area signs will be updated to reflect the listed prohibitions in the new Closure Order. This Order will be on file for public review at the Supervisor's Office, the Santa Catalina Ranger District, and the Coronado National Forest external webpage. This Order shall remain in effect until September 30, 2017.
3. **Enforcement Plan** - Forest Protection Officers and Law Enforcement Officers will enforce prohibitions in the new Closure Order. Enforcement of the listed prohibitions is consistent with management goals and desired outcomes as listed in the Coronado National Forest Program of Work.

NEPA Compliance: This Order falls under category 36 CFR 220.6(d)(1): "Orders issued pursuant to 36 CFR part 261 - Prohibitions to provide short-term resource protection or to protect public health and safety". This Order will not individually or cumulatively have a significant effect on the quality of the human environment. The Order is necessary to provide for public safety and resource protection.

Civil Rights Impact Statement: This Order does not constitute a "major action" as defined in FSH 1709.11, 31.1, Exhibit 01. It temporarily affects the Sabino Canyon Recreation Area and Bear Canyon. The Order provides enforceable resource protection and provides for a safe environment for the public in this heavily used area.


KERWIN S. DEWBERRY

Forest Supervisor
Coronado National Forest


DATE

ORDER # 03-05-05-16-014

Sabino Canyon Recreation Area and Bear Canyon

ORDER CHECKLIST

<u>ACTION</u>	<u>RESPONSIBLE OFFICIAL</u>	<u>INITIALS/DATE</u>
Prepare proposed Order	Appropriate staff(s)	ML 4/4/16
NEPA requirements completed	Appropriate staff(s)	ML 4/4/16
CRIA requirements completed	Appropriate staff(s)	ML 4/4/16
Prepare enforcement plan	LEI with appropriate staff input	MS 05-17-16
Review proposed Order & approve enforcement plan	Patrol Captain or Special Agent in Charge	CB05-18-16
Review by OGC (as needed)	Regional OGC	PD05-19-16
Approve Order	Forest Supervisor or Regional Forester (Deputy or Acting should not sign)	<i>RJA 5/27/16</i>
Post Order (36 CFR 261.51)	District Ranger/Forest Supervisor	
Prepare news releases for Order describing the order and management objectives. Describe implementation and action taken for order, such as planned patrols, enforcement strategies, tolerance, contacts to local public agencies.	PAO (with Appropriate Staff/LEI)	
Implement plan	LEO/field-going personnel	
Complete Case File Filing	Order Records Officer	
Update Regional Order Database	Special Agent in Charge	

Exhibit B

03-05-05-16-014

Enforcement Plan

April 4, 2016

Closure area - Sabino Canyon Recreation Area and Bear Canyon, Santa Catalina Ranger District, Coronado National Forest, Pima County, Arizona.

Forest Service law enforcement officers (LEO), as well as forest protection officers (FPO), will enforce the closure order.

Forest Service Law Enforcement will coordinate with Pima County Sheriff's department to gain their support and cooperation with enforcement efforts.

This closure order will be posted to reasonably notify the public using the area. Copies of the Closure Order and map will be available at the Santa Catalina Ranger District office and the Coronado National Forest website.

All project personnel will have copies of the Temporary Order and map and will be responsible for notifying the District Ranger and LEO's of possible violations of the closure order.

/s/ Mark Sanburn

Date 04-04-16

Law Enforcement Officer